

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 08cr3154-WQH
)	
Plaintiff,)	
)	PRELIMINARY ORDER OF
v.)	CRIMINAL FORFEITURE
)	
MARIA CELEDONIO-CASILLAS,)	
)	
Defendant.)	

WHEREAS, in the Information in the above-captioned case, the United States sought forfeiture of all right, title and interest in specific property of the above-named Defendant as property involved in the offense charged in Count 1 of the Information to which defendant pled guilty, Title 31 United States Code, Section 5332, or property traceable to such property as charged in the Information; and

WHEREAS, on or about October 6, 2008, the above-named Defendant, MARIA CELEDONIO-CASILLAS ("Defendant"), pled guilty before Magistrate Judge William McCurine, Jr., to Count 1 of the Information, and on January 5, 2009, this Court accepted the guilty plea of Defendant, which plea included consent to the criminal forfeiture allegation pursuant to Title 31, United States Code, Section 5317(c)(1)(A) ; and

WHEREAS, by virtue of the facts set forth in the plea agreement, the United States has established the requisite nexus between the forfeited property and the offense; and

//

1 WHEREAS, by virtue of said guilty plea, the United States is now entitled to possession
2 of said property, pursuant to 31U.S.C. § 5317(c)(1)(A) 21 and Rule 32.2(b) of the Federal Rules
3 of Criminal Procedure; and

4 WHEREAS, pursuant to Rule 32.2(b)(3), the United States having requested the authority
5 to take custody of the following property which was found forfeitable by the Court, namely:

6 **\$154,920.00 in U.S. Currency; and**

7 WHEREAS, the United States, having submitted the Order herein to the Defendant through
8 her attorney of record, to review, and no objections having been received;

9 Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

10 1. Based upon the guilty plea of the Defendant, the United States is hereby authorized
11 to take custody and control of the following asset, and all right, title and interest of Defendant
12 MARIA CELEDONIO-CASILLAS in the following property are hereby forfeited to the
13 United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C.
14 § 853(n):

15 **\$154,920.00 in U.S. Currency .**

16 2. The aforementioned forfeited asset is to be held by Immigration and Customs
17 Enforcement in its secure custody and control.

18 3. Pursuant to Rule 32.2(b)and (c), the United States is hereby authorized to begin
19 proceedings consistent with any statutory requirements pertaining to ancillary hearings and rights
20 of third parties.

21 4. Pursuant to the Attorney General's authority under Section 853(n)(1) of Title 21,
22 United States Code, Rule 32.2(b)(3), Fed. R. Crim. P., and Rule G(4) of the Supplemental Rules
23 for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States forthwith shall
24 publish for thirty (30) consecutive days on the Government's forfeiture website,
25 www.forfeiture.gov, notice of this Order, notice of Immigration and Customs Enforcement's intent
26 to dispose of the property in such manner as the Attorney General may direct, and notice that any
27 person, other than the Defendant, having or claiming a legal interest in the above-listed forfeited
28

//

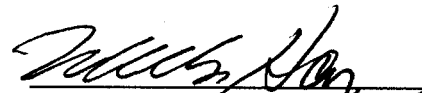
1 property must file a petition with the Court within thirty (30) days of the final publication of notice
2 or of receipt of actual notice, whichever is earlier.

3 5. This notice shall state that the petition shall be for a hearing to adjudicate the
4 validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under
5 penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest
6 in the forfeited property and any additional facts supporting the petitioner's claim and the relief
7 sought.

8 6. The United States may also, to the extent practicable, provide direct written notice
9 to any person known to have alleged an interest in the property that is the subject of the Preliminary
10 Order of Criminal Forfeiture.

11 7. Upon adjudication of all third-party interests, this Court will enter an Amended
12 Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

13 DATED: 11/1/09

14 
15 WILLIAM Q. HAYES, Judge
16 United States District Court
17
18
19
20
21
22
23
24
25
26
27
28